

EXHIBIT 1

1
2 UNITED STATES DISTRICT COURT
3 FOR THE EASTERN DISTRICT OF VIRGINIA
4 ALEXANDRIA DIVISION

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ROSY GIRON DE REYES,)
et al,)
) Civil 16-563
Plaintiffs,)
)
v.)
) Alexandria, Virginia
WAPLES MOBILE HOME PARK) September 23, 2020
LIMITED PARTNERSHIP,)
et al,)
Defendants.)

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TRANSCRIPT OF MOTION HEARING
VIA ZOOM

BEFORE THE HONORABLE T. S. ELLIS
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For the Plaintiffs: Simon Yehuda Sandoval-Moshenberg
 Gianna Puccinelli
 Nady Peralta
 Matthew Traupman

For the Defendants: Michael Sterling Dingman
 Grayson Hanes
 Justin deBettencourt
 Grayson Hanes

Court Reporter: PATRICIA A. KANESHIRO-MILLER, RMR, CRR

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Transcript produced by computer-aided transcription.

1 Circuit suggested? Is that the plaintiffs' position?

2 MS. PUCCINELLI: No, Your Honor. Plaintiffs contend
3 that we should only be proceeding to trial on the disparate
4 impact theory of the Fair Housing Act claim.

5 THE COURT: All right. And as to that, it's the
6 position of the plaintiffs that it should proceed to trial on
7 all three steps of the analysis as identified by the Fourth
8 Circuit?

9 MS. PUCCINELLI: That is correct, Your Honor.

10 THE COURT: All right. Now, with respect to the
11 arguments that I have heard, you might reiterate, just to
12 refresh my recollection, what is the plaintiffs' position on
13 the effect, if any, of the anti-harboing statute on the
14 plaintiffs' claim in this case?

15 MS. PUCCINELLI: Your Honor, plaintiffs' position is
16 that the anti-harboing statute has no place in the analysis
17 on step one. The Fourth Circuit's -- the Fourth Circuit's
18 opinion clearly states, under the first step, the plaintiff
19 must demonstrate a robust causal connection between the
20 defendants' challenged policy and the disparate impact on the
21 protected class. And it goes -- the Fourth Circuit goes on
22 to identify how plaintiffs have done that. And that's either
23 through statistical evidence or other evidence that
24 specifically links the policy at issue with a
25 disproportionate impact on the protected class. And